

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas Lloyd Hiller  
David Albert Rossetti

Confirmation No. 6464

Examiner: J. Young

Serial No.: 10/799,569

Group Art Unit: 2618

Filed: March 12, 2004

Att'y Docket: 2100.005300

For: METHOD AND APPARATUS FOR  
PROVIDING A LOW-LATENCY, HIGH-  
ACCURACY INDICATION-TO-SPEAK

Customer No. 46290

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION**  
**UNDER 37 C.F.R. § 1.137(B)**

Sir:

A Final Office Action was mailed June 21, 2007 for the above-referenced application. The Final Office Action set forth a deadline for response of **September 21, 2007**.

A Notice of Appeal was filed on December 21, 2007. A copy of the Notice of Appeal is accompanied herewith. In the body of the Notice of Appeal, the Director was given authorization to deduct any fees under 37 CFR 1.16 to 1.21 if required for any reason from Williams, Morgan & Amerson's Deposit Account 50-0786. However the application was abandoned for failure to request an extension of time.

Applicant respectfully requests that the referenced application be revived pursuant to 37 C.F.R. § 1.137 due to this unintentional circumstance, and the accompanied response be entered.

Serial No. 10/881,932

Adjustment date: 03/17/2009 CKHLOK  
12/12/2008 INTFSW 00002237 500786 10799569  
01 FC:1453 1620.00 CR

It is believed that a fee for \$1,620.00 pursuant to 37 C.F.R. § 1.17(m) is due as cost for filing this petition.

However should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson Deposit Account No. 50-0786/2100.005300

Respectfully submitted,

Date: December 11, 2008

/Mark W. Sincell/  
Mark W. Sincell, Ph.D.  
Reg. No. 52,226  
Williams Morgan & Amerson, P.C.  
10333 Richmond Avenue, Suite 1100  
Houston, TX 77042  
(713) 934-7000  
(713) 934-7011 (Fax)

AGENT FOR APPLICANTS

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>3/16/09</u>		2 Serial/Patent # <u>10/799,569</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
<input checked="" type="checkbox"/>	Notice of Appeal/Appeal			\$							
<input checked="" type="checkbox"/>	Petition		12/11/08	\$ 1,620.00							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
			7 TOTAL AMOUNT OF REFUND								
			\$1,620.00								
8 TO BE REFUNDED BY:											
10 REASON:		Treasury Check									
	Overpayment	Credit Deposit A/C #:									
	Duplicate Payment	9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"> <tr> <td>5</td><td>0</td><td>--</td><td>0</td><td>7</td><td>8</td><td>6</td> </tr> </table>			5	0	--	0	7	8	6
5	0	--	0	7	8	6					
<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
paid unnecessary petition fee											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Joan Olszewski</u>		TITLE: <u>Petition Examiner</u>									
SIGNATURE: _____		PHONE: <u>571-272-7751</u>									
OFFICE: <u>Office of Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u><i>CKH</i></u>		DATE: <u>3/17/09</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: